IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NOS.862 TO 867 OF 2005

CONNECTED WITH

COMPANY APPLICATION NOS.765 TO 770 OF 2005

In the matter of Companies Act I of 1956;

And

In the matter of Section 391 and 394 of the Companies Act, 1956;

And

In the matter of scheme of Amalgamation of

M/s.Esjay Horticulture Pvt. Ltd.,

M/s.Express Repair Services Pvt. Ltd.,

M/s.Maersk Logistics India Pvt. Ltd.,

M/s.Mercantile Clearing Agency India Pvt. Ltd.,

M/s.Octopus Projects and Shipping Pvt. Ltd.,

M/s.Safmarine India Pvt. Ltd.

With

Maersk India Pvt. Ltd.

Esjay Horticulture Pvt. Ltd.)
)
)
M/s.Esjay Horticulture)

Pvt. Ltd.,)
)
M/s.Express Repair)
Services Pvt. Ltd.,)
)
M/s.Maersk Logistics)
India Pvt. Ltd.,)
)
M/s.Mercantile Clearing)
Agency India Pvt. Ltd.,)
)
M/s.Octopus Projects)
and Shipping Pvt. Ltd.,)
)
M/s.Safmarine India)
Pvt. Ltd.) ..Petitioners.

Ms.Mustafa Motiwala i/b.M/s.PDS Legal for the Petitioner.

Mr.C.J.Joy with Mr.R.C.Master and Mr.M.M.Goswami i/b. Dr.T.C.Kaushik for Regional Director, Department of Company Affairs Maharashtra, Mumbai.

Mr.S.C.Gupta, Official Liquidator present.

CORAM : S.J. VAZIFDAR, J.
DATED : 27TH JANUARY, 2006.

P.C. :

The Petitions are filed seeking sanction of a scheme of amalgamation between the Petitioners i.e. the transferor companies and Maersk India Pvt. Ltd. i.e. the transferee company. The requirements and procedures have been complied with.

2. The Official Liquidator in his report stated that the affairs of the transferor company have not been

conducted in a manner prejudicial to the interest of its members or to the public interest. The Regional Director in his affidavit stated that the scheme is not prejudicial to the interest of the creditors and the shareholders.

3. The Petitions are made absolute in terms of prayers (a) to (g).

4. Costs of the Regional Director and the Official Liquidator fixed at Rs.2500/- each.

5. Filing and issuance of the drawn up order is dispensed with.

All concerned to act on an ordinary copy of this order duly authenticated by the Company Registrar.